

United States District Court

District of Maryland

Chambers of
William D. Quarles, Jr.
United States District Judge

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
109 West Lombard Street
Baltimore, Maryland 21201

2003 APR 29 A 410-962-0946
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DEPUTY

April 29, 2003

TO COUNSEL OF RECORD

Re: St. Paul Fire & Marine Insurance Co. v. Transamerica
Occidental Life Insurance Co., et al.
Civil No.: WDO-02-3123

Dear Counsel:

I have read and considered St. Paul's response to this Court's order to show cause, dated April 10, 2003. I am now convinced that the controlling language of the indemnity agreements makes this matter ripe for adjudication. I therefore conclude that this Court has subject-matter jurisdiction over the dispute. No relevant facts need be developed; purely legal issues remain. See *Charter Fed. Sav. Bank v. Office of Thrift Supervision*, 976 F.2d 203, 208 (4th Cir. 1992). I see no further reason for delay.

Accordingly, the defendants' joint motion for a stay of the proceedings must be DENIED, and the motions of Transamerica and Principal Mutual Life to adopt that motion are MOOTED. It is further ordered:

1. that Transamerica file its reply, if any, in support of its motion to dismiss no later than May 12, 2003; and
2. that the defendants file their opposition, if any, to St. Paul's motion for partial summary judgment no later than May 16, 2003.

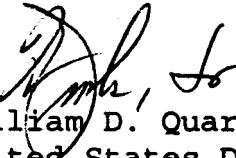
April 29, 2003

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Although informal, this letter is an order of court and will be docketed and filed in the court file.

Very truly yours,


William D. Quarles, Jr.
United States District Judge

WDQ/mjd

cc: Counsel of Record
Court File - Original